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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,327	10/03/2002	Scott C. Harris	DIYCIP/SCH	9318

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EXAMINER

HAVAN, THU THAO

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,327

Applicant(s)

HARRIS, SCOTT C.

Examiner

Thu Thao Haven

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 41-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 41-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Detailed Action

Response to Arguments

In view of the Appeal Brief filed on July 5, 2006, PROSECUTION IS HEREBY REOPENED. The new non-final office action set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1-18** and **41-52** are rejected under 35 U.S.C. 103(a) as being unpatentable over Vlahoplus et al. (US publication no. 2002/0029183) in view of Fitzsimmons (US 2002/0068991).

Re claim 1, Vlahoplus teaches a computing device, comprising: a handheld (fig. 1, element 200) housing and processor and display, said display displaying a plurality of different indicators, and wherein at least one of said indicators, when selected, selecting execution of a prestored sequence of actions that interface with a remote internet site (figs. 16a and 24a-24c), takes some action on the remote internet site, and returns information from the internet web site (fig. 14). *In other words, Vlahoplus discloses a handheld personal computer enables a user to enter user id and password at his computer (i.e. the remote internet site) to return the information from the Internet web site. The Internet site displays plurality of links (i.e. different indicators) that the user sequentially executed.*

However, Vlahoplus does not explicitly teach a single actuation. On the other hand, Fitzsimmons discloses a single actuation (para. 0094 and 0098; abstract; figs. 13-14). He discloses a single actuation of the handles simultaneously mates each device docked in rack with a respective PCB. He also discloses only one of each system can be used in conjunction with one or more multiplexers or other technology to allow single host units to communicate with multiple client devices. Thus, it would have been obvious to one of ordinary skill in the art to implement a single actuation to deliver information relating to products or services via the World Wide Web (WWW) as discloses in Fitzsimmons.

Re claim 2, Vlahoplus teaches processor displays said information on said display (fig. 16a). *Figure 16a is an example of a display.*

Re claims 3 and ~~45-46~~, Vlahoplus teaches sequence accesses a plurality of different Internet sites, and said information is based on said plurality of Internet sites

(fig. 20, elements 82-96 and fig. 34d). *In figure 20, Vlahoplus discloses elements 82-96 as plethora of links that are different Internet sites.*

Re claim 4, Vlahoplus teaches at least one of said indicators includes an area for entry of variable information, and wherein said variable information is sent to said Internet site (fig. 14). *In figure 14, Vlahoplus discloses user enters variable information such as a login id and password. After the information is entered than they are sent to Internet site to be login.*

Re claim 5, Vlahoplus teaches remote Internet site includes a bank, and said value includes a balance from said bank (fig. 16a). *Vlahoplus discloses a checking account and saving account number of a customer. Thus, an account of a customer includes a balance from a bank.*

Re claim 6, Vlahoplus teaches value includes a plurality of different actions on said web site that can be carried out (paragraphs 0195-0207; fig. 17). *In figure 17, Vlahoplus discloses different links such as user information, associated parties, commodities, etc that include different actions a user encounter upon clicking on the particular link.*

Re claims 7 and 44, Vlahoplus teaches action comprises a sequence of actions that are carried out to navigate through a sequence of actions on said web site and return a specified value (paragraphs 0205-0207; figs. 24a-24c). *In figures 24a-24c, Vlahoplus shows a sequence of actions a user carries out upon selecting a particular link. Once the link is clicked and all sequential actions are performed than a specified value is returned.*

Re claim 8, Vlahoplus teaches plurality of different actions include at least one action that can be selected to carry out said action on said web site (paragraphs 0222-0227; figs. 29a-29e).

Re claim 9, Vlahoplus teaches web site is a web site that enables bids to be placed on items, and said entry of variable information is an area where a bid amount can be input (paragraph 0239; figs.28d-30e). *Vlahoplus enables a user to bid on items for a particular amount such as a real estate property.*

Re claim 10, Vlahoplus teaches action comprises taking a first action on a first web site, to obtain a first value, and taking a second action on a second web site using said first value to access said second web site (figs. 35b-35d). *Vlahoplus discloses counter bid wherein a first value of a bid is establish than a second value of bid is the counter bid.*

Re claim 11, Vlahoplus teaches first action comprises obtaining a first bill amount from said first web site which represents a web site holding bills, and said second action comprises paying the bill amount obtained from the first web site using said second web site, which is a bank's web site (fig. 16a).

Re claims 12 and 50, Vlahoplus teaches action with the remote web site comprises validating a secured transaction (fig. 14). *In figure 14, the requirement of a user id and password in a user remote web site is the step of validating a secured transaction.*

Re claims 13 and 42-43, Vlahoplus teaches an indicator with a first state indicating that said validating has occurred within a first specified time and a second state indicating that said validating has not occurred within a specified time (paragraph 0208; fig. 24c). *In other words, Vlahoplus discloses validating has occurred within and not within*

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a specified time by allowing user to define hourly consumption. When a user is defining a particular time then he is specifying a particular time frame.

Re claims **14** and **49**, Vlahoplus teaches a biometric reader, associated with said validating (fig. 14). *In figure 14, Vlahoplus requires user id and password, which is a form of biometric reader associating with validating. In computer technology, biometrics relates to authentication and security technique that rely on measurable to recognize or verify an individual's identity. For example, a security method that relies on something a person knows such as a user id and password.*

Re claims **15** and **47**, Vlahoplus teaches a memory storing a secret encryption key, and wherein said validating comprises using said secret encryption key (paragraph 0134).

Re claims **16** and **48**, Vlahoplus teaches a memory storing a secret encryption key, and wherein said validating comprises using said secret encryption key, and wherein said action comprises sending a message to the remote Internet site, validating said secret encryption key at said remote Internet site, and returning an indication of a valid secret encryption key to take said first state (paragraph 0134; figs. 2 and 6).

Re claims **17** and **51**, Vlahoplus teaches a handheld housing and wherein said processor and display are housed by said handheld housing (fig. 1a, element 200).

Re claims **18** and **52**, Vlahoplus teaches processor and display are battery driven (fig. 1a). *In figure 1a for element 200, Vlahoplus discloses handheld personal computer, personal digital assistant, cellular phone, etc. These handheld devices have a processor and display that are inherently battery driven.*

Re claim **41**, Vlahoplus teaches a computer as claimed in claim 1. Therefore the rationale applied in the rejection of claim 1 applies herein.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-0315.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).



Thu Thao Havan
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9/16/2006